

March 16, 2009



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 14797  
(FIRST REVISION)

**EXPIRATION DATE: February 28, 2010**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: U.S. Department of Energy  
(NNSA Global Threat Reduction Initiative's  
Off-Site Source Recovery Project at Los Alamos  
National Laboratory)  
Washington, DC
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of specified radioactive materials in designated DOT specification 6M packagings after October 1, 2008, in order to allow the grantee a transition period to performance oriented package use. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
  - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED:
  - a. 49 CFR § 173.416(c) insofar as the 6M specification packagings and radioactive contents specified herein are authorized for shipments exceeding a Type A quantity of radioactive material, after October 1, 2008.

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- b. 49 CFR §173.417© in that the 6M specification packagings and radioactive contents specified herein are authorized for fissile materials shipments, after October 1, 2008.
5. BASIS: This special permit is based on the application of the U.S. Department of Energy dated December 15, 2008 and the additional technical information dated February 13, 2009 submitted in accordance with § 107.105 and the public proceeding thereon and additional information dated March 13, 2009.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identi- fication Number</b>	<b>Packing Group</b>
Radioactive material, transported under special arrangement, <i>non fissile or fissile-excepted</i>	7	UN2919	N/A
Radioactive material, transported under special arrangement, fissile	7	UN3331	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING -

(i) This special permit is limited to 30 gallon DOT specification 6M packaging serial numbers 2651, 2652, 2662, 2787, 2788, 2789, 2793, 2794, and 2847 in the U.S. Department of Energy Off-Site Source Recovery Project package fleet.

(ii) The packages must be in conformance with all aspects of the requirements of 49 CFR Subchapter C in effect on October 1, 2003.

b. OPERATIONAL CONTROLS -

(i) The package/contents combination and consignments must be as described in the application of the U.S. Department of Energy dated December 15, 2008. Each package must contain no more than a 1000 A<sub>2</sub> quantity of radioactive material.

(ii) Packages must be prepared for transport by U.S. Department of Energy Off-Site Source Recovery Project qualified personnel.

(iii) This special permit authorizes up to 20 consignments consisting of no more than two packages per consignment.

(iv) This special permit is limited to solid radioactive materials only. No liquid or gaseous materials are permitted to be transported under the provisions of this special permit.

(v) The use, repair, and maintenance of the specification packages must be conducted in accordance with the current revision of following Los Alamos National Laboratory quality assurance documents, as applicable:

- 1) P&T-Plan-025
- 2) P&T-Plan-028
- 3) P&T-Plan-18

(vi) Prior to use, package inspections must be conducted in accordance with the current revision of Appendix A, "Container Inspection Record - DOT 6M Type B Containers" included in the application of the U.S. Department of Energy dated December 15, 2008.

(vii) As replacement packages become available that are permitted for use in accordance with 49 CFR §§ 173.416 and/or 173.417, as applicable, they must be used to the extent practical in lieu of those authorized by this special permit.

c. COMMUNICATIONS -

(i) Each shipping paper issued in connection with a shipment made under this special permit must bear the notation "DOT-SP 14797" and be located so that the notation is clearly associated with the description to which the special permit applies.

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(ii) The outside of each package used under the terms of this special permit must be plainly and durably marked "DOT-SP 14797".

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. A quarterly update of package transition activities (actual vs. scheduled milestones for design, testing, application, certification, production, and completion) must be provided to the Office of Hazardous Materials Special Permits and Approvals by January 1, April 1, July, 1 and October 1 of each year this special permit is in effect.

d. A quarterly update of actual transportation activities (number of consignments and packages shipped under this special permit) must be provided to the Office of Hazardous Materials Special Permits and Approvals by January 1, April 1, July, 1 and October 1 of each year this special permit is in effect.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle.

10. MODAL REQUIREMENTS: Motor vehicle transport must be consigned as exclusive use when the quantity of radioactive material offered for transport exceeds 500 A<sub>2</sub>. Motor vehicle transport is limited to the contiguous 48 States. A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

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11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous

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materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



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for Theodore L. Willke

Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm). Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: WILLIAMSJ